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C.P/09

IN THE HIGH COURT OF CHHATTISGARH A T BILASPUR.

W.P. NO. 897 OF 2002.

PETITIONER : Sudhwaru Ram Pant, S/o Shri Gajadhar, aged about 32 years, R/o Village- Bata, Tahsil Katghora, District Korba, (C.G.).

889/02
P.R. No. .....
Presented by Shri Mahesh Pandey
dated 30/04/02

V E R S U S

RESPONDENTS :

1. State of Chhattisgarh, Through : The Secretary, School Education Department D.K.S. Bhawan, Raipur,(C.G.

2. The Additional Commissioner Bilaspur Division, Bilaspur (C.G.).

3. The Collector, District Korba, Korba, (C.G.).

4. Janpad Panchayat, Katghora, Through : The Chief Ex ecutive Officer, Katghora, District Korba,(C.G.).

5. Motilal, S/o Shri Sanak Ram aged xabout 30 years, R/o Village Kanberi, Tahsil Katghora, District Korba, (C.G.).

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE LIKE NATURE ETC.

(27)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.897/..... **सन् 2002**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	08.07.2005 Mr. Mahesh Pandey, learned counsel for the petitioner. Mr. Pankaj Shrivastava, learned Panel Lawyer for the State of Chhattisgarh. This petition has been filed by the petitioner under Article 226/227 of the Constitution of India impugnes the order dated 12.04.2002 (Annexure P-1) passed by the Additional Commissioner, Bilaspur Division, Bilaspur. The case of the petitioner is that by order dated 17.07.1998, the petitioner was not selected as Shiksha Karmi as per select list. Being aggrieved, the petitioner preferred an appeal before the Collector under section 47 of the M.P./C.G. Land Revenue Code, 1959 on 05.04.2000. The Collector by his order dated 11.09.2000 dismissed the appeal as being barred by time. The limitation for filing an appeal is 45 days in case of appeal to the Collector. Admittedly, the order impugned before the Collector was dated 17.07.1998 and the appeal was filed on 05.04.2000 there was a gross delay in filing the appeal. The petitioner preferred revision under section 50 of the M.P./C.G. Land Revenue Code, 1959 to the Commissioner wherein the limitation prescribed is 90 days. The order of the Collector was passed on 11.09.2000 and the revision was filed on 01.02.2001. The Commissioner by his order dated 12.04.2002 dismissed the revision also on the ground of delay. The petitioner, in this petition filed under Article 226/227, impugnes the order of Commissioner. The petitioner has not explained the	

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XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.897/..... **सन् 2002**

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delay in filing the appeal before the Collector or thereafter in filing the revision before the Commissioner against the order of the Collector.

After hearing the learned counsel for the parties and having perused the records, I find that no ground has been made out for condonation of delay. This is an old case and the petitioner was not selected in July, 1998. Today after a period of 7 years, no order can be passed disturbing the appointments of other persons who have been duly appointed by the select list dated 17.07.1998.

In view of the foregoing, the petitioner is dismissed.

No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Sarma